

**State of Colorado
Waiver Request
Workforce Investment Act**

Evolution

Five years ago Colorado Project WIN, a Rehabilitation Services Administration funded systems change project, brought together stakeholders from the disability community and representatives from local, state, and federal agencies to implement the Consumer Navigator pilot project. The goal was to expand employment opportunities for individuals with mental and/physical disabilities who receive public support. Consumer Navigators are individuals with disabilities, family members, or advocates who assist disabled job seekers in navigating various systems that provide the services and supports needed to obtain and maintain employment.

Initially piloted through Project WIN in Grand Junction and Colorado Springs, the Consumer Navigators enhanced the capacity and infrastructure of their respective Workforce Centers to better serve customers with disabilities. The Consumer Navigators also expanded collaboration by enhancing relations with community partners to mutually serve disabled customers seeking to obtain or retain employment. Since then, the Consumer Navigator model, through broad systemic cooperation, is being replicated statewide and recognized nationally.

The Social Security Administration and the U.S. Department of Labor (USDOL) adopted the Consumer Navigator concept and provided additional funds for Disability Program Navigators in Colorado and fourteen other additional states. Through this new federal funding, the Colorado Office of Workforce Development was able to hire seven more Consumer Navigators (Disability Program Navigators) to serve the Colorado Rural Consortium. This brings Colorado's Consumer Navigator total to twenty.

1. Background: In 2004, a grant from the Social Security Administration was awarded to the Colorado *Youth* Work Incentive Network of Supports (WIN) at John F. Kennedy Partners of the University of Colorado Health Sciences Center. Project Youth WIN is a five-year demonstration project and its intention is to align state resources to improve transition outcomes for young adults, age 14-25 with disabilities, who are currently receiving or likely to receive Supplementary Security Income (SSI), Social Security Disability Insurance (SSDI) or Child Disability Benefits (CDB).

The need for this project was identified at the state level in partnership with the Social Security Administration, Colorado Department of Labor and Employment, Colorado Office of Workforce Development, Division of Vocational Rehabilitation and the Colorado Department of Education. The project will be piloted in three workforce development communities, Larimer, Pueblo, and El Paso/Teller counties, with the intention of expanding to other workforce communities. The project will provide specialized and intensive transition services to youth with disabilities, and anticipates

co-enrolling youth and adults in WIA programs.

Project Youth WIN has identified specific goals for this targeted group that includes: employment, education, emergence of self-sufficiency, and transition services (refers to the activities and processes that occur to prepare a young person with a disability to move from school to adult life). Youth with disabilities need the same services that all youth need, but in addition, often require individualized and specialized support systems.

The following provides evidence to support this assertion:

- *Special education students are more than twice as likely to drop out of high school as their peers in general education (Harris & Associates, 1998);*
- *Youth with disabilities are half as likely to participate in post secondary education as compared to same age, non-disabled peers (National Council on Disability, 2000);*
- *Current special education students can expect to face much higher adult unemployment rates than their same aged, non-disabled peers (Wagner, Cameto & Newman, 2003);*
- *The Social Security Administration has found that many young people with disabilities who enter the Supplementary Security Income (SSI)/Social Security Disability Insurance (SSDI) rolls are likely to remain on the program rolls for their entire life.*

One-Stop Career Centers are expected to play a significant role in the effort to increase the workforce participation rate for people with disabilities. However, there continues to be a dilemma facing youth with disabilities, that is, in spite of supportive legislation and identified effective practices, these youth continue to experience high unemployment as well as insufficient opportunities to obtain competitive employment with the potential of career growth.

This project will be implemented in three workforce centers located in Larimer, Pueblo, and El Paso/Teller counties. Transition Teams will be formed at each location and include a benefits planner, consumer navigator, and a career counselor providing specialized case management and intensive services to youth and their families. Each Transition Team will offer services through a consumer centered approach, and will facilitate access to various programs that provide services and support in obtaining education and employment. The workforce system, through its' Transition Teams will strive to ensure that young people with disabilities are provided resources and assistance to move from school to work and then transition on to adult services.

Each pilot site will have a local consortium comprised, at a minimum, staff from the local workforce center, Division of Vocational Rehabilitation, and the local school district. To sustain the Transition Teams in each community, the local consortium will be charged

with developing a plan to identify local dollars that can be utilized to maintain the Transition Teams upon project completion.

The consortium will also develop linkages with special education, adult and vocational education, postsecondary education, developmental disabilities, and health care, social security, housing, and transportation programs. In the partnership effort, the consortium will draw upon the expertise of other researchers and technical assistance providers in organizing and providing technical assistance and disseminating information.

2. Purpose: U.S. Secretary of Labor Elaine L. Chao has selected “*You’re Hired! Success Knows No Limitations!*” as the official theme for October’s National Disability Employment Awareness Month. Secretary Chao is committed to ensuring that the U.S. Department of Labor (USDOL) programs and services are available to and accessible by all people with disabilities, including those transitioning to the community. One way of accomplishing this goal is to increase the participation of youths with disabilities in mainstream workforce investment activities under WIA. Colorado Youth WIN is in full alliance with the USDOL vision. Today, the Colorado Department of Labor and Employment works closely with Project WIN and its partners to better address the needs of persons with disabilities across the state.

Colorado is seeking to expand upon the level of employment-related services provided to people with significant disabilities in the One Stop Center system. Our mission is to ensure that young people with disabilities are provided resources and assistance to move from school to work, as opposed to becoming dependent on welfare or other benefits programs.

The purpose of the waivers is:

- To gain flexibility for local boards and youth councils in the use of WIA adult and youth formula funds as statewide discretionary funds
- To expand the local boards’ expertise to develop progressive programming strategies to improve results for people with disabilities
- To increase the participation of youths with disabilities in mainstream workforce investment activities through co-enrollment in WIA
- To waive the performance measures for this segment of the population to assist the local boards in developing improvement plans that adequately address the needs of youth and adults with disabilities
- To identify performance measures during implementation to reflect realistic expectations that will facilitate and not impede serving persons with the most significant needs

Entry into employment is a major challenge for many people with disabilities. The transition to employment can involve a long period of preparation and training, followed

by a lengthy job search and, if successful, adaptation and integration into the workplace -- possibly after several unsuccessful placements.

3. Statutory and Regulatory Provisions to be waived: The Colorado Department of Labor and Employment (CDLE) as the state administrative entity for the Workforce Investment Act, is requesting two waivers:

1. Waiver from the requirements of WIA section 666.100(a)(1),(a)(3),(a)(4), State Measures of Performance for adult, dislocated worker and youth programs that serve youth with disabilities. The grant from the Social Security Administration (Project WIN) will target young adults for co-enrollment in WIA programs, who are age 14-25 with disabilities and currently receiving or likely to receive Supplementary Security Income (SSI), Social Security Disability Insurance (SSDI) or Child Disability Benefits (CDB).

Granting this waiver will allow local programs to offer services more closely tailored to the needs of the disabled without the burden of satisfying the WIA performance measurements. Traditional approaches to serving youth with disabilities under WIA must be augmented with more innovative and competency based strategies that benefit both youth and potential employers.

2. Waiver of sections 129(c), local use of funds for youth activities and 134(d), local use of funds for employment and training activities. The approval of these waivers would allow a portion of local area formula funds to be used in the same manner as statewide discretionary funds for the co-enrolled disabled clients, in effect, broadening the range of activities that can be conducted. The Governor would reserve up to 10% of the amount that is allotted to the State for the WIA Youth Program, and up to 10% of the amount allotted to the State for the WIA Adult and Dislocated Worker programs. These funds would be set aside for statewide discretionary activities impacting the co-enrolled disabled youth. If granted, the waiver will further:

- Promote the coordination of services within an integrated environment
- Expand information on ways to measure success, prepare guidance to the local service provider networks, and inform the development of future legislation
- Increase collaboration efforts among federal, state, and local agencies to develop and implement sustainable improvements in the delivery of transition services to youth with disabilities

4. State or Local Statutory Regulatory Barriers: There are no state, local statutory or regulatory barriers to implementing the proposed waivers. State Workforce Development Board and CDLE policies are in compliance with current Federal guidelines. Upon notification of approval of this waiver request, state policy will be modified to comply with the terms of the waivers.

5. Goals to be achieved by the waiver:
(Prefer to Attachment A for quantitative detail)

- Improve the flexibility to local boards in designing and implementing WIA

programs to meet the needs of youth and adults with disabilities

- Provide a seamless system of service delivery supports for youth transitioning into the adult system
- Increase the co enrollment of youth with disabilities over the next five years to a total of 360 in the three pilot sites across the state
- Maximize the economic self-sufficiency and career advancement of these targeted youth
- Support local policies that promote full access to high quality services for youth with disabilities and work to improve the awareness, knowledge, and skills of individuals responsible for providing direct services to youth
- Ensure continuance of the pilot after the funding ends, recommending that the local workforce centers' develop a plan to identify local dollars that can be utilized to maintain the project
- Conduct implementation, evaluation and dissemination of new and improved approaches and effective program structures that increase participation of youth with disabilities in WIA supported youth programs

6. Programmatic Outcomes to be Achieved by the Waiver: Local Boards will have increased flexibility to tailor their programs using formula funds as discretionary funds to design targeted programs to meet the needs of youth and adults with disabilities. Further, the evaluation component of the SSA project will reflect realistic expectations that will facilitate and not impede serving persons with the most significant needs.

Designing WIA service models that make them accessible to all young people will likely challenge local workforce development systems, given the wide variety and range of accommodations needed by people with disabilities. WIA programs need the assistance and collaboration of special educators and other disability experts. The Colorado WIA system, through the One-Stop centers and youth services, will work to expand considerably the resources available to youth with disabilities as they transition into adult employment. It also offers the promise of a more inclusive system that is less dependent on "special" services for people with disabilities.

The involvement of youth with disabilities in this system only improves their potential of achieving meaningful and productive adult employment. Those involved in transition planning for youth with disabilities can also access the additional service alternatives that WIA programs offer. The concepts of universal access and individualized service have been benchmarks of disability legislation for at least two decades. The fact that these concepts are so heavily embedded in WIA suggests a new common ground for transition initiatives targeted for youth with disabilities and workforce development activities. The involvement of youth with disabilities in WIA programs further promotes cross-agency, cross-program, and cross-disciplinary models that can lead to improved levels of service

coordination and collaboration, and ultimately, improved transitions for all youth.

7. Individuals Impacted by the Waiver: The waivers, if approved will benefit the local boards, Workforce Centers, communities, customers, and employers. People with disabilities make up a large portion of the untapped workforce of this country. Only about 37% of adults with significant disabilities are participating in the nation's workforce, as compared to 80% of the general population (Source: National Health Interview Survey). Surveys of employers continually show that employers view workers with disabilities as capable and productive employees. One-Stop Career Centers can play a major role in assisting employers to tap into the underutilized pool of people with disabilities.

8. Process used to Monitor Progress in Implementing the Waiver:

CDLE has a Federally recognized monitoring and performance accountability system that measures and evaluates results for job seekers and employers accessing Colorado's network of One-Stop centers. On a monthly and quarterly basis, CDLE reviews and analyzes WIA client enrollment and service levels, program expenditures, and performance outcomes. On an annual basis, comprehensive compliance monitoring is conducted onsite utilizing outcome reports generated from CDLE's statewide database.

Project WIN at John F. Kennedy Partners of the University of Colorado Health Sciences Center will provide administrative oversight and operational management of all project components. There will also be a process for the local consortium and the local boards to review policies, practices, and procedures. Since the workforce centers will have an important role in the success of this project, the State Workforce Development Council and the CDLE will also be involved in the oversight of the project.

9. Process for Notice of Local Boards and Opportunity to Comment:

The waiver request is being submitted concurrently with the 30-day comment period required in the regulations. Notice to Local Boards will occur on the public website maintained by the Office of Workforce Development, allowing for public comment on its content and potential impact. In addition, a copy of the waiver will be available for public inspection at CDLE office, and electronic copies of the waiver will be sent via-email to local boards and workforce centers.

Comments may be submitted to Karyn Baylon through November 4, 2004, via email at: karyn.baylon@state.co.us

